



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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Litigation Bureau

Writer Direct: (518) 473-6522
February 25, 2011

Hon. David R. Homer
United States Magistrate Judge
United States District Court
Northern District of New York
James T. Foley U.S. Courthouse
445 Broadway, Room 441
Albany, NY 12207

Re: *Osterweil, v. Bartlett III, et al.* 09-CV-0825 (GLS)(DRH)

Dear Judge Homer:

On February 9, 2011, the Court granted our request that the dispositive motion deadline be extended to April 5, 2011, in light of AAG Kinsey's medical issues. On February 17, 2011, plaintiff filed a motion for summary judgment, without a stated return date. **Plaintiff has agreed, however, to my request that the time to oppose the motion be extended to April 5, 2011, as well.**

In sum, we ask that defendant's time to respond to plaintiff's motion for summary judgment set forth at Dkt # 30 be extended to April 5, 2011.

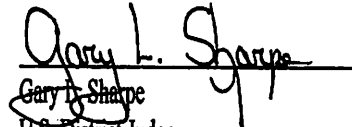
Thank you for your consideration in this matter.

Respectfully submitted,
/s/ James B. McGowan
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cc: Alfred G. Osterweil
197 Lawson Lane
Many, LA 71449

Request is granted (Dkt No. 31). The defendants' response papers are to be filed on or before April 5, 2011. The plaintiff's reply papers are to be filed on or before April 19, 2011. The motion hearing has been scheduled for May 5, 2011 at 9:00 a.m. on SUBMIT only. No personal appearances are needed.

Date: March 1, 2011
Albany, New York


Gary L. Sharpe
U.S. District Judge